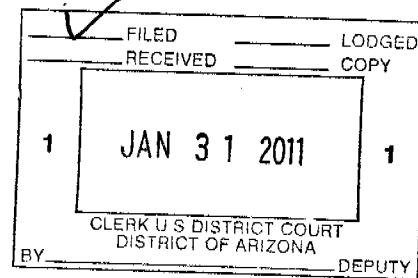


Marshall E. Home™
Secured Party,
Managing Partner
3051 W. Mexico St.
Tucson, Arizona 85746
520-908-3281-fax
520-392-6234-cell



UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

CIV 11-81

TUC FRZ

CASE: _____

Marshall E. Home
Secured Party, Plaintiff,
Dba, INDEPENDENT RIGHTS PARTY
et.al

SECURED PARTY, PLAINTIFF'S

v.

ORIGINAL VERIFIED COMPLAINT

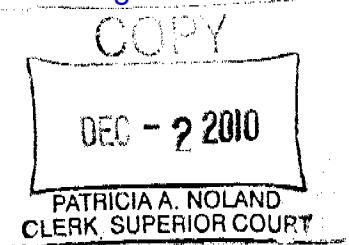
STATE OF ARIZONA,
Its agents and instrumentalities
UNITED STATES CORP.
Its agents and instrumentalities

(Ex Parte Emergency Application)

MARICOPA COUNTY SHERIFF,
JOE ARPAIO;
PIMA COUNTY SHERIFF,
CLARENCE W. DUPNIK;
CHRISTOPHER P. STARING, Dba,
PIMA COUNTY SUPERIOR COURT;
BENJAMIN E. VATZ, Dba, MARICOPA
COUNTY SUPERIOR COURT;
HELEN PURCELL, MARICOPA COUNTY
RECORDER;

Assigned to the Honorable

Marshall E. Home
3051 W. Mexico St.
Tucson, Arizona (85746)
USA
520-392-6234



IN THE SUPERIOR COURT

IN AND OF PIMA COUNTY

CASE No:2010 3852

®
Marshall E. Home
Secured Party

vs.

Secured Party Marshall Home's
First Amended Counterclaim

AFFIDAVIT OF INFORMATION
FELONIES; HIGH CRIMES
AND MISDEAMENORS
RCKEETING A.R.S.13-2314.04
USC S 1961 et seq.

MARK S.BOSCO,Jr.dba TIFFANY AND BOSCO,P.A.
GUST ROSENFIELD, dba GUST ROSENFIELD P.L.C.
THOMAS M. MURPHY; RECONTRUST COMPANY, N.A.;
FEDERAL NATIONAL MORTGAGE ASSOCIATION;
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,INC.
AMERICAN FAMILY INSURANCE GROUP; TERRY WINTZ,
dba TUCSON PROPERTY EXECUTIVES; DIMONT &
ASSOCIATES; COUNTRYWIDE HOME LOANS, INC; and
its successor BANK OF AMERICA, N.A.; and Does
(1) JOSEPH H. TAJC dba STEWART TITLE AND TRUST,
(2) Governor of Arizona, Janice K. Brewer;
(3) Senator Robert Burns, President of the Senate;
(4) Speaker Kirk Adams;(5) Senator, John Nelson, Sponsor of
H.B. 1130 and (6) Ken Bennett, Arizona Secretary of State
(7) Helen Purcell, Maricopa County Clerk and Recorder,
jointly and severally

18 UNITED STATES CODE S 4
Federal Rules Criminal
Procedure, Rule 3

DEMAND FOR INJUNCTIVE RELIEF
ORDER FOR THE ARREST OF THE
DEFENDANTS BY THE SHERIFF OF
PIMA & MARICOPA COUNTIES

TO THE HONORABLE
CHRISTOPHER P.
STARING,JUDGE

RESPONDENTS/DEBTORS

THIS COMPLAINT AND AFFIDAVIT OF INFORMATION IS SWORN TO BY MARSHALL E.HOME,
SPECIFICALLY, AND ON BEHALF OF ALL THE PEOPLE WHO HAVE BEEN DECEIVED INTO GIVING UP
THEIR RIGHTS TO THE MULTIPLE CONSORTIUM OF BANKERS, LAWYERS AND SHERIFFS, WHO HAVE
STOOD BY KNOWINGLY AND DELIBERATELY, NEGLECTED TO DO THEIR SWORN AND OBVIOUS DUTY
TO PROTECT THE COMMUNITY, WHILE CONDUCTING A RICO ENTERPRISE, Az.Rev.Stat.S 13-
2314.02 et.seq.; USC S 1961

AFFIDAVIT OF INFORMATION
in Support of a CRIMINAL COMPLAINT

This Affidavit is filed Pursuant to 18 United States Code S 4 (18 USC 4), the
FEDERAL RULES OF CRIMINAL PROCEDURE, RULE 3.

Title 18 (18 USC) Section 4 states:

Whoever having knowledge of the actual commission of a felony cognizable by
a court of the United States, conceals and does not as soon as possible make known

the same to some judge or other person in civil or military authority under the United States, shall be fined not more than \$500 or imprisoned not more than three years, or both."

Federal Rules of Criminal Procedure Rule 3 states:

'Whoever, knowing that an offense against the United States has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.

Except as otherwise expressly provided by an Act of Congress, an accessory after the fact shall be imprisoned not more than one-half the maximum term of imprisonment or (notwithstanding section 3571) fined not more than one-half the maximum fine prescribed for the punishment of the principal, or both; or if the principal is punishable by life imprisonment or death, the accessory shall be imprisoned not more than 15 years.

COUNT 1: VIOLATIONS OF ARS. 13-2006; CRIMINAL IMPERSONATION; BY MARK S. BOSCO, JR., THOMAS M. MURPHY, LEONARD J. MCDONALD, GUST ROSENFELD AND THE DEFENDANTS. On May 15, 2010 Secured party Affiant Marshall E. Home sent a notarized Proof of Claim (Exhibit 1) to the Law Firm of Tiffany and Bosco, Attention: Mark S. Bosco,Jr. to prove that his alleged client Federal National Mortgage Association, hereinafter FNMA, has a certified, secured lien against Marshall E. Home and the property known as 3051 W. Mexico St.Tucson, Arizona and by what authority does Tiffany and Bosco represent FNMA and to show proof that he does have a signed retainer agreement with FNMA. On FNMA loan lookup Website, FNMA denies having a mortgage on 3051 W. Mexico St. Tucson, Arizona. All documents are filed in the Superior Court Case No:2010 3852, which was a fraudulent forcible detainer action, instigated by Attorney Mark.S.Bosco,Jr. and the Law Firm of Tiffany and Bosco. Respondents have not produced an original signed promissory note evidencing a contractual debt with anyone. They have been pretending to be the creditor.

2) DEBTOR/DEFENDANTS are members of the BAR, which is an anacronym for British Accreditation Registry. As such, the defendants are foreign agents under allegiance to the Queen of England and the Bank of England.

COUNT 2: VIOLATIONS OF Az.Rev.Stat. 13-2311 FRAUDULENT SCHEMES AND PRACTICES; WILFULL CONCEALMENT; A.R.S.13-2320.

Arizona adopted the Uniform Commercial Code, operative as Title 47 of the Arizona Revized Statutes, which is the foundation of the legal and banking system worldwide. Foreclosure is a non-judicial, administrative process using

negotiable instruments, and is not a SECURED TRANSACTION in commerce, or registered in the UCC. The promissory note, signed by Marshall Home, was bonded with his CUSIP # and sold to an investor, within 72 hours of closing the fraudulent loan by Countrywide, who was then paid off and the debt obligation is no longer due from the borrower, in this case Marshall Home. Herein lies the mortgage servicing fraud by the named defendants who have continued to receive "unjust enrichment" by collecting a monthly payment from Marshall Home. Marshall E Home is the Secured Party Creditor. His signature on the paper creates the currency. Banks have NO money. Corporations have No money. The individual is the full faith and credit of the united States of America and owns the Exemption. FNMA, who is trying to gain possession was sold a "pig in the polk" by Recontrust N.A. which is a subsidiary of the Bank of America, who was the fraudulent servitor.

Marshall Home does not have a debt obligation to FNMA.

COUNT 3: A.R.S 13-2314.04 RACKETEERING; UNLAWFUL ACTIVITY; civil remedies by private cause of action; definitions

A. A person who sustains reasonably foreseeable injury to his person, business or property by a pattern of racketeering activity, or by a violation of section 13-2312 involving a pattern of racketeering activity, may file an action in Superior Court for the recovery of up to treble damages and the costs of the suit, including reasonable attorney fees for trial and appellate representation. If the person against whom a racketeering claim has been asserted, including a lien, prevails on that claim, the person may be awarded costs and reasonable attorney fees incurred in defense of that claim. No person may rely on any conduct that would have been actionable as fraud in the purchase or sale of securities to establish an action under this section except an action against a person who is convicted of a crime in connection with the fraud, in which case the period to initiate a civil action starts to run on the date on which the conviction becomes final.

B. The Superior Court has jurisdiction to prevent, restrain and remedy a pattern of racketeering activity or a violation of section 13-2312 involving a pattern of racketeering activity, after making provision for the rights of all innocent 3

persons affected by the violation and after a hearing or trial, as appropriate, by issuing appropriate orders.

C. Before a determination of liability these orders may include, but are not limited to, entering restraining orders or prohibitions or taking such other actions, including the acceptance of satisfactory performance bonds, the creation of receiverships and the enforcement of constructive trusts, in connection with any property or other interest subject to damage or other remedies or restraints pursuant to this section as the court deems proper.

D. After a determination of liability these orders may include, but are not limited to:

1. Ordering any person to divest himself of any interest, direct or indirect, in any enterprise.
2. Imposing reasonable restrictions on the future activities or investments of any person, including prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect the laws of this state, to the extent the constitutions of the United States and this state permit.
3. Ordering dissolution or reorganization of any enterprise.
4. Ordering the payment of up to treble damages to those persons injured by a pattern of racketeering activity or a violation of section 13-2312 involving a pattern of racketeering activity.
5. Prejudgment interest on damages, except that prejudgment interest may not be awarded on any increase in the damages authorized under paragraph 4 of this subsection.
6. A person or enterprise that acquires any property through an offense included in the definition of racketeering in section 13-2301, subsection D or a violation of section 13-2312 is an involuntary trustee. The involuntary trustee and any other person or enterprise, except a bonafide purchaser for value who is reasonably without notice of the unlawful conduct and who is not knowingly taking part in an illegal transaction, hold the property, its proceeds and its fruits in constructive

trust for the benefit of persons entitled to remedies under this section.

E. A defendant convicted in any criminal proceeding is precluded from subsequently denying the essential allegations of the criminal offense of which the defendant was convicted in any civil proceedings. For the purpose of this subsection, a conviction may result from a verdict or plea including a no contest plea.

F. Notwithstanding any law prescribing a lesser period but subject to subsection A of this section, the initiation of civil proceedings pursuant to this section shall be commenced within three years from the date the violation was discovered, or should have been discovered with reasonable diligence, and ten years after the events giving rise to the cause of action, whichever comes first.

G. The standard of proof in actions brought pursuant to this section is the preponderance of evidence test.

H. A person who files an action under this section shall serve notice and one copy of the pleading on the attorney general within thirty days after the action is filed with the superior court. This requirement is jurisdictional. The notice shall identify the action, the person and the person's attorney. Service of the notice does not limit or otherwise affect the right of the state to maintain an action under section 13-2314 or to intervene in a pending action nor does it authorize the person to name this state or the attorney general as a party to the action.

I. On timely application, the attorney general may intervene in any civil action or proceeding brought under this section if the attorney general certifies that in the attorney general's opinion the action is of special public importance. On intervention, the attorney general may assert any available claim and is entitled to the same relief as if the attorney general has instituted a separate action.

J. In addition to the state's right to intervene as a party in any action under this section, the attorney general may appear as amicus curiae in any proceeding in which a claim under this section has been asserted or in which a court is interpreting section 13-2301, 13-2312, 13-2313, 13-2314.01, 13-2314.02 or 13-2315 or this section.

K. A civil action authorized by this section is remedial and not punitive and does

not limit and is not limited by any other previous or subsequent civil or criminal action under this title or any other provision of law. Civil remedies provided under this title are supplemental and not mutually exclusive, except that a person may not recover, for an action brought pursuant to this section, punitive damages or emotional injury damages in the absence of bodily injury.

L. A natural person shall not be held liable in damages or for other relief pursuant to this section based on the conduct of another unless the fact finder finds by a preponderance of the evidence that the natural person authorized, requested, commanded, ratified or recklessly tolerated the unlawful conduct of the other. An enterprise shall not be held liable in damages or for other relief pursuant to this section based on the conduct of an agent, unless the fact finder finds by a preponderance of the evidence that a director or high managerial agent performed, authorized, requested, commanded, ratified or recklessly tolerated the unlawful conduct of the agent. A bank or savings and loan association insured by the Federal Deposit Insurance Corporation or a credit union insured by the National Credit Union administration shall not be held liable in damages or for other relief pursuant to this section for conduct proscribed by section 13-2317, subsection B, paragraph 1, based on acquiring or maintaining an interest in or transporting, transacting, transferring or receiving funds belonging to a person other than the person presenting the funds, unless the fact finder finds by a preponderance of the evidence that the person or agent acquiring or maintaining an interest in or transporting, transacting, transferring or receiving the funds on behalf of the defendant did so knowing that the funds were the proceeds of an offense and that a director or high managerial agent performed, authorized, requested, commanded, ratified or recklessly tolerated the unlawful conduct of the person or agent. A person or enterprise shall not be held liable in damages or for other relief pursuant to this section unless the fact finder makes particularized findings sufficient to permit full and complete review of the record, if any, of the conduct of the person. A natural person or enterprise shall not be held liable in damages for recklessly tolerating the unlawful conduct of another person or agent if the 6

other person or agent engaged in unlawful conduct proscribed by section 13-2301, subsection D, paragraph 4, subdivision (b), item (xvi), (xviii), (xix) or (xx) and the unlawful conduct involved the purchase or sale of securities.

M. Notwithstanding subsection A of this section, a court shall not award costs, including attorney fees, if the award would be unjust because of special circumstances, including the relevant disparate economic position of the parties or the disproportionate amount of the costs, including attorney fees, to the nature of the damage or other relief obtained.

N. If the court determines that the filing of any pleading, motion or other paper under this section was frivolous or that any civil action or proceeding was brought or continued under this section in bad faith, vexatiously, wantonly or for an improper or oppressive reason, it shall award a proper sanction to deter this conduct in the future that may include the costs of the civil action or proceeding, including the costs of investigation and reasonable attorney fees in the trial and appellate courts.

O. Notwithstanding any other law, a complaint, counterclaim, answer or response filed by a person in connection with a civil action or proceeding under this section shall be verified by at least one party or the party's attorney. If the person is represented by an attorney, at least one attorney of record shall sign any pleading, motion or other paper in the attorney's individual name and shall state the attorney's address.

P. The verification by a person or the person's attorney and the signature by an attorney required by subsection O of this section constitute a certification by the person or the person's attorney that the person or the person's attorney has carefully read the pleading, motion or other paper and, based on a reasonable inquiry, believes all of the following:

1. It is well grounded in fact.
2. It is warranted by existing law or there is a good faith argument for the extension, modification or reversal of existing law.
3. It is not made for any bad faith, vexatious, wanton, improper or oppressive reason, including to harass, to cause unnecessary delay, to impose a needless

increase in the cost of litigation or to force an unjust settlement through the serious character of the averment.

Q. If any pleading, motion or other paper is signed in violation of the certification provisions of subsection P of this section, the court, on its own motion or on the motion of the other party and after a hearing and appropriate findings of fact, shall impose on the person who verified it or the attorney who signed it, or both, a proper sanction to deter this conduct in the future, including the costs of the proceeding under subsection N of this section.

R. If any pleading, motion or other paper includes an averment of fraud or coercion, it shall state these circumstances with particularity with respect to each defendant.

S. In any civil action or proceeding under this section in which the pleading, motion or other paper does not allege a crime of violence as a racketeering act:

1. The term "racketeer" shall not be used in referring to any person.
2. The terms used to refer to acts of racketeering or a pattern of racketeering activity shall be "unlawful acts" or "a pattern of unlawful activity".

T. In this section, unless the context otherwise requires:

1. "Acquire" means for a person to do any of the following:

- (a) Possess.
- (b) Act so as to exclude another person from using the person's property except on the person's own terms.
- (c) Bring about or receive the transfer of any interest in property, whether to himself or to another person, or to secure performance of a service.

2. "Gain" means any benefit, interest or property of any kind without reduction for expenses of acquiring or maintaining it or incurred for any other reason.

3. "Pattern of racketeering activity" means either:

- (a) At least two acts of racketeering as defined in section 13-2301, subsection D, paragraph 4, subdivision (b), item (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv), (xvi), (xvii), (xviii), (xix), (xx), (xxi) or (xxii) that meet the following requirements:

- (i) The last act of racketeering activity that is alleged as the basis of the claim

occurred within five years of a prior act of racketeering.

(ii) The acts of racketeering that are alleged as the basis of the claim were related to each other or to a common external organizing principle, including the affairs of an enterprise. Acts of racketeering are related if they have the same or similar purposes, results, participants, victims or methods of commission or are otherwise interrelated by distinguishing characteristics.

(iii) The acts of racketeering that are alleged as the basis of the claim were continuous or exhibited the threat of being continuous.

(b) A single act of racketeering as defined in section 13-2301, subsection D, paragraph 4, subdivision (b), item (i), (ii), (iii), (xi), (xii), (xiv), (xxi), (xxii), (xxiii), (xxv), (xxvii) or (xxviii).

4. "Proceeds" means any interest in property of any kind acquired through or caused by an act or omission, or derived from the act or omission, directly or indirectly, and any fruits of this interest, in whatever form.

A.R.S.13-2313. Judicial powers over racketeering criminal cases

During the pendency of any criminal case charging an offense included in the definition of racketeering in section 13-2301, subsection D, paragraph 4 or a violation of section 13-2312, the superior court may, in addition to its other powers, issue an order pursuant to section 13-2314, subsections B and C. Upon conviction of a person for an offense included in the definition of racketeering in section 13-2301, subsection D, paragraph 4 or a violation of section 13-2312, the Superior Court may, in addition to its other powers of disposition, issue an order pursuant to section 13-2314.

COUNT 4: RESIDENTIAL MORTGAGE FRAUD; The Defendants committed unlawful acts.

A. A person commits residential mortgage fraud if, with the intent to defraud, the person does any of the following:

1. Knowingly makes any deliberate misstatement, misrepresentation or material omission during the mortgage lending process that is relied on by a mortgage lender, borrower or other party to the mortgage lending process.

2. Knowingly uses or facilitates the use of any deliberate misstatement,

misrepresentation or material omission during the mortgage lending process that is relied on by a mortgage lender, borrower or other party to the mortgage lending process.

3. Receives any proceeds or other monies in connection with a residential mortgage loan that the person knows resulted from a violation of paragraph 1 or 2 of this subsection.

4. Files or causes to be filed with the office of the County Recorder of any county of this state any residential mortgage loan document that the person knows to contain a deliberate misstatement, misrepresentation or material omission.

B. An offense involving residential mortgage fraud shall not be based solely on information that is lawfully disclosed under federal disclosure laws, regulations and interpretations related to the mortgage lending process.

C. This section does not apply to a person who is not aware that the information that is relied on by the mortgage lender, borrower or other party to the mortgage lending process is a deliberate misstatement, misrepresentation or material omission.

D. A person who violates this section is guilty of a class 4 felony, except that a person who engages or participates in a pattern of residential mortgage fraud or who conspires to engage or participate in a pattern of residential mortgage fraud is guilty of a class 2 felony.

E. For the purposes of this section:

1. "Mortgage lending process" means the process through which a person seeks or obtains a residential mortgage loan including solicitation, application, origination, negotiation of terms, third-party provider services, underwriting, signing, closing and funding of the loan.

2. "Pattern of residential mortgage fraud" means one or more violations of subsection A that involve two or more residential properties and that have the same or similar intents, results, accomplices, victims or methods of commission or are otherwise interrelated by distinguishing characteristics.

3. "Residential mortgage loan" means a loan or agreement to extend credit to a person that is secured by a deed to secure debt, security deed, mortgage, security

interest, deed of trust or other document representing a security interest or lien on any interest in one to four family residential property and includes the renewal or refinancing of any loan."

Said Affidavits have never been formally rebutted by Affidavits sworn to as TRUE, CORRECT, and COMPLETE by the respective Respondents Parties.

By failing to respond to the Secured Party Affiant, the Respondents are in contractual default. The Respondents have admitted to and acquiesced to the crimes which the Secured Party complained about and sought to protect himself and his wife from further abuses. Their continuing on with the wrongful actions against this Secured Party, the accused Respondents are acting in knowledge and willful criminal assaults against the Secured Party and in knowledge and willful breach of contract that they opened.

In order for a crime to exist, three elements must exist; there must be a victim, that the victim must have been damaged or injured, and the criminal intent must be established on the part of the accused. Without proof of all three elements no action can be considered material.

In this matter, the Secured Party Affiant is the victim, the Commercial Affidavit sets the complained issues and this Criminal Complaint verifies the actual damages, and the intent was established by proof that Respondents/Defendants were Noticed and Warned of their wrongs and what was required to right them. Their failing to rebut the Affidavit and Notice of Default or prove their own claims, the contractual requirement of this Secured Party's Commercial Affidavit of Notice and Warning, the Respondents/Defendants acted willfully against this Secured Party Creditor. The Secured Party Affiant exercises his unalienable Sovereign Right against Respondents), and its officers for a redress of grievances (Bank Fraud, Illegal Securitization, fraudulent conveyance, mortgage servicing fraud, extortion, theft, filing of false documents into the public record, Counterfeiting, criminal trespass, mail fraud, wire fraud and conversion, TRADENAME/TRADEMARK INFRINGEMENTS AND STOLEN IDENTITY OF MARSHALL E. HOME, ENS LEGIS, plus other noted wrongs) by it

this verified Criminal Complaint (et.seq.:

COUNT 5: Az.Rev.Stat.13-2008 TAKING IDENTITY OF ANOTHER PERSON OR ENTITY; A.R.S.

13-2009 AGGRAVATED TAKING IDENTITY OF ANOTHER PERSON OR ENTITY; A.R.S.13-2010

TRAFFICKING IN THE IDENTITY OF ANOTHER PERSON OR ENTITY; FORGERY A.R.S 13-2001; 13-2005 OBTAINING A SIGNATURE BY DECEPTION.

Whereas Bank of America coordinated with American Family Insurance Group in Minnesota and Dimont & Associates in California, in interstate commerce, and fraudulently opened an account in Marshall Home's name for the sole purpose of one transaction, without Marshall Home's knowledge or consent, to put into this species account, a sum paid from Marshall Home's Insurance Policy on 3051 W. Mexico St., by American Family Insurance on Marshall Home's insurance policy But this conspiratorial transaction was hidden from Marshall Home. To this day, American Family Insurance has refused to tell Marshall Home the amount of the fraudulent transaction, paid to the undisclosed account in the Bank of America in the name of Marshall E. Home. It appears to be grand larceny. Federal Rules of Criminal Procedure Rule 3, and 18 USC 4) pursuant the Commercial instrument of the people, known as the Constitution for the State of Arizona, as stated in the Preamble, Article I Sections 1, 3, 24; Article II Section 1; Article III Sections, 6(d); Arizona Revized Statutes; Civil and Criminal Section 13; Arizona S Title 41-State Government as a legislated entity and the parallel sections of the Constitution for the United States, United States Codes Title 18, Criminal Code.

Therefore, the Secured Party Affiant, sets forth to the candid community the abuses of FELONY, HIGH CRIMES and MISDEMEANORS by the Respondents. The above named Respondents, in the instant action have supported criminal actions by willfully and knowingly:

COUNT 6: DENIED A RIGHT to due process of law. Such denials include but not limited to the right to commercial contract rights as creditor the right to receive just reward of labors, denying access to the multiple Constitutional rights and specifically acting against the Complainant Affiant under a color of official right. It is a "taking action" denying the right to personal property violative of

the provisions of the state Constitutional provisions and under the Fourth and Fifth Amendments to the Constitution for the United States. The right of due process of law requires before any sort of judgment against an individual, that he has had opportunity to defend himself of any accusation or claim, that he has had a right to state his case, he has had a proper and lawful judgment of a jury of his peers. Respondents officials acted against that due process by acting in a criminal conspiracy in attempting to defraud the Complainant Affiant of his property, giving such property to the some foreign agents, not registered to do business with the Secretary of State, State of Arizona or the Arizona Corporations Commission, WITHOUT ANY KIND or LAWFUL JUDGMENT, COMMERCIAL PAPERWORK, CONTRACTS OR PROOF OF CLAIMS. Respondents are therefore guilty of denying the Secured Party AFFIANT, every Constitutional protection afforded – an act of TREASON (defined below), an act of a MIXED DOMESTIC WAR against the people of this Arizona Republic.

COUNT 7: MORTGAGE SERVICING FRAUD AND BANK FRAUD: In the July 6, 2010 hearing in Pima County Superior Court, the Honorable Judge Stephen C. Villarreal denied Secured Party, Marshall E. Home, a jury trial, in violation of A.R.S.12-1176, gave standing to the unregistered foreign agents, FNMA and Thomas Murphy, attorney for Gust Rosenfeld, P.L.C. and then promptly recused himself when Secured Party, Marshall Home mentioned that an injunction had been issued in Utah against Bank of America, Countrywide, MERS and Recontrust accused of Mortgage Servicing Fraud in 23 other states. (Transcript) Such rights or obligations are secured, preserved or defined by the Constitution to prevent such abuses by government officials by their oaths to support said Constitution (67 CJS~ Officers, Section 46, Oaths).

COUNT 8:13-2312. ILLEGAL CONTROL OF AN ENTERPRISE; ILLEGALLY CONDUCTING AN ENTERPRISE;

A. A person commits illegal control of an enterprise if such person, through racketeering or its proceeds, acquires or maintains, by investment or otherwise, control of any enterprise.

B. A person commits illegally conducting an enterprise if such person is employed by or associated with any enterprise and conducts such enterprise's affairs through racketeering or participates directly or indirectly in the conduct of any enterprise that the person knows is being conducted through racketeering.

C. A person violates this section if he hires, engages or uses a minor for any conduct preparatory to or in completion of any offense in this section.

D. A knowing violation of subsection A or B of this section is a class 3 felony. A knowing violation of subsection C of this section is a class 2 felony and section 13-709.02, subsection B applies to the sentence imposed.

COUNT 8: MALFEASANCE OF OFFICE. By such wrongful action, these individuals have acted with malfeasance of office in conspiracy with Agents Mark S. Bosco, Jr. of the Law Firm of Tiffany and Bosco, Thomas Murphy, Attorney for Gust Rosenfeld P.L.C., Joseph H. Tajc of Stewart Title, American Family Group Insurance, Dimont and Associates, Bank of America, successor to Countrywide Mortgage Company, ReconTrust Co., Mortgage Electronic Registration System, Inc., Federal National Mortgage Association, the Pima County Superior Court, Pima County Recorder's Office Helen Purcell, Maricopa County Recorder's Office, deliberately, knowingly and willfully violating said rights and are guilty of misconduct in office, whether public or private. A.R.S.13-232 42 USCS 1983,1985 1986; USC § 241-242.

COUNT 9: SLAVERY. The civil relation in which one man has absolute power over the life, fortune, and liberty of another. The Respondents have denied the right to "fortunes" earned by the labors of the Affiant. The unlawful conversion of such property and giving it to another, depriving the Affiant of what was lawfully and contractually agreed upon, breaching interpersonal contracts and relationships is criminal. The Respondents have absolutely refused to communicate in GOOD FAITH with the Affiant. They have refused to disclose the authority by which they act, the contract in default or the damages which they claim created the so-called liability. There is no promissory note or judgment of any kind that they can produce showing any liability. By such actions, they have destroyed the right to

life, liberty & property by such taking of personal property without due process of law, reducing the Affiant to the condition of a slave. As such, these are in fact in violation of the State and Federal Constitutions that abolished slavery.

COUNT 10: TREASON. Treason is defined as the assault against the authority to whom one owes allegiance. Such clearly defined actions by government officers and such private officers who have privileged authority in commerce by the Constitution, in specific connection to the above violation, malfeasance of Office along with violating their oath of office and in the related connected activities herein as listed below is nothing short of TREASON, and there is no other term or set of terms that accurately define such activity. Respondents have willfully, violated the basic fundamental principles this Country was founded on, and therefore condoned the acts of TREASON by so-called governmental officials against the Undersigned, 'making them liable for such acts of TREASON by refusing to stop such actions against the Secured Party Affiant Marshall E. Home, when they had the power and authority to do so after being noticed (criminally under Title 18, Section 4; civilly under Title 42, Section 1983, 1985, 1986).

In addition to and along with the above cited crimes, the Respondents acting in concert' with such so-called government officials to complete such acts as listed as follows:

COUNT 11: FRAUD Permitting shown and demonstrated acts of fraud and actively participating in a scheming conspiracy of untruths and misrepresentations to deceive those who entrusted themselves in dealing in good faith, while specifically acting in deliberate bad faith when such fraud was shown. (A.R.S; 18 USC 1001).
Banks create money out of thin air; Banks can't lend credit; Countrywide Home Loans did not lend Marshall E. Home anything of value. Rather, at closing the mortgage company pulled a "bait and switch", pretending to be the Secured Party and making Marshall E. Home the Debtor. Marshall E. Home is the registered, certified Holder of Title and Secured Party of the property 3051 W. Mexico St. filed and recorded in the Sec of State, California and Pima County Recorder's office.

COUNT 12: EXTORTION. A.R.S CHAPTER 23 - 13-2301 - 13-2311 ORGANIZED CRIME, FRAUD AND TERRORISM; By such actions of Fraud, said Respondents under assumed (usurped)

official right and color of office to demand, without any real lawful or proper authority, gave monies of the complainant Affiant to these foreign agents (explained below) by use of such misrepresentations and untruths to steal monies under a color and cover of law to raise revenue (Arizona Rev.Stat. 13-2302;13-18 USC 872, 873, 1951, 1962).

COUNT 13: GRAND THEFT. A.R.S. 13-1801 § 1802 By such actions of fraud and extortion, the monies stolen,' or damages sustained by such actions totaled over \$30,000.00 (3 cars)THEFT A.R.S.13-1813 UNLAWFUL FAILURE TO RETURN A MOTOR VEHICLE SUBJECT TO A SECURITY INTEREST; NOTICE; CLASSIFICATION under a guise of taxes, fines and/or penalties, under a color of law for exercising one's inalienable/unalienable rights. (A.R.S. 13-2701; 18. USC 641 (\$1001), 2112).

COUNT 14: ROBBERY. (Attempted robbery) Respondents, by such action of conspiracy under a color of law and official right, used intimidation, threats, and fear by force of imprisonment to extort revenues. (AZ.R.S.13-1901 et.seq; 18 USC 2112).

COUNT 15: FALSE DOCUMENTS. Accepting false documents that are known not to be true or known to be false to falsely condemn the Complainant Affiant under a color without benefit of a lawful trial to raise revenue by stealing monies of the Complainant Affiant and giving it directly to a foreign agent by such false condemnations (Arizona Penal Code Sec 134; 18 USC 1001).

COUNT 16: CONSPIRACY. A confederation of two or more individuals who may not know each other but, by their joint efforts, commit some unlawful or criminal act (Black's Law Dictionary). Multiple officials, agents and other persons named properly noticed by the attached COMMERCIAL AFFIDAVIT, and un-named who under a cover of official right and appearance and color of law continued to perform such acts to continue to raise revenue by fraud and extortion, for any so-called governmental function. (ARIZONA REVIZED STATUTES, Title 13; Arizona Racketeering Act, 13-2314; 18 USC 241,242; Federal Racketeering Act, 18 USC 1961 et. Seq.)

The explanation of crimes above stem from other hidden crimes being forced upon the people of this REPUBLIC. Such crimes and this Affidavit of Information is filed in the overall context of the Bankruptcy of the United States (i.e. District

of Columbia, as per jurisdiction set forth in the U.S. Constitution Article Section 8, clause 17 and 18 and Article IV Section. 3 clause 2).

HISTORICAL BACKGROUND

The United States bankruptcy is a direct result of the Federal Reserve Act of December 23, 1913, in which the delegated authority of Congress to be responsible for the nation's currency was illicitly, unconstitutionally, and treasonously surrendered to the privately owned Federal Reserve Corporation, (a foreign agent) whose class A stockholders are various international banks. In place of real money as legal tender (gold and silver coin U.S. Constitution Article I Section 10, Coinage Act April 2, 1792), the Federal Reserve issued private commercial paper, drawn on the credit of the United States, consisting of only bookkeeping entries of no substance or reality, on which a real compound interest was charged. The U.S. Treasury paid the ever-increasing interest in gold and was eventually depleted, with a higher debt than ever. The planned inevitability occurred: BANKRUPTCY. .

When the government becomes bankrupt, it loses its sovereignty. In 1933, the U.S. declared bankruptcy, as expressed in Roosevelt's Executive Orders 6073, 6111, and 6260 (see Senate Report 93-549,.pp. 187, 594) under "Trading with the Enemy Act of 1917, codified 12 USC 95a; House Joint Resolution 192 of June 5, 1933; confirmed in Perry v U.S. (1933), 294 U.S. 330-381 and 31 USC 5112, 5119.

As a bankrupt entity, the United States has no power/ authority to initiate civil or criminal actions against anyone. Consequently, the power, the authority, and "sovereignty involved in the' entire Federal legal administration is the "sovereign" Federal Reserve, the CREDITORS on whose behalf the civilly-dead U.S. is in receivership.

The "Secretary of Treasury" is the "Receiver" in bankruptcy (see Reorganization Plan #26, 5 USC 905, Public Law 94-564). The "United States Government" is now merely a front for the sovereign creditors, the Federal Reserve. (see Foreign Agents Registration Act of 1938; 22 USC 286 et seq., 263(a), 285(g), 267(j), 611(c) (ii) & (iii); Rabinowitz v Kennedy, 376 U.S. 605; 11 L Ed 2d 940; USC 219, 951; Treasury Delegation Order #91.) This bankruptcy was again reiterated

on March 17, 1993 on the floor of the House of Representatives by James Traficant, Jr. (Ohio) addressing the House. It is recorded in the United States Congressional Record, Wednesday, March 17, 1993, Volume #33, page 111303, should anyone doubt the claim.... .

"Mister Speaker. We...are here. now in Chapter 11. - Members of Congress are official trustees presiding Over the greatest reorganization of any bankrupt entity in world history, the U. S. Government."

The U.S. Attorney General is the "permanent member" to the Secretariat of the Interpol Operation, and the Secretary of Treasury the "alternate permanent member." Under Article 30 of the "Constitution and General Regulation of Interpol," 22 USC 263(a), the agents 'are required to renounce their Allegiance - to their respective countries and expatriate.'

Consequently, ALL "public servants," officials, Congressmen, politicians, judges, attorneys, law enforcement personnel, the States and their various agencies, are express agents of the Foreign Principals who have bankrupted and stolen the United States through the paper money banking swindle and other frauds and treacheries, "weapons of debt".

Under trappings of "democracy, "- the flag, "law and order," the Constitution etc., Americans have been duped into administering and submitting to their own subjugation, bankruptcy, enslavement and the elimination of their rights, freedom, and country. The people have been reduced to peonage and involuntary servitude under a fraudulent, tyrannical, and seditious foreign oligarchy whose express intent is to institute and establish a dictatorship over the people and their Posterity through a private, commercial one- world-government. (i.e. "THE NEW WORLD ORDER"). These Foreign Principals, through the knowing and unknowing complicity of their agents, have completely debauched the monetary system (National Geographic January 1993, THE POWER OF MONEY, page 83), destroyed the lives and livelihoods, of millions of people, aided and abetted the enemies of the American people and their Posterity, incited rebellion and anarchy within the dejure society, taken false oaths, entered into seditious foreign agreements, pacts, confederations., 18

treaties, and alliances, and under a pretense of "emergency" which they themselves created, and formed a multitude of offices of alien allegiance (treason) to perpetuate their plunder, conquest, and subjugation of what was once considered 'the last great hope of human freedom.'

These, are truly, guilty of SEDITION AND TREASON against the Constitution and declared a domestic mixed war against the people of the united States. (See TOP SECRET Silent Weapons for Quiet Wars, a Manual for Silent Weapons System, 1980 Article of Scientific American, The World Economy of the Year 2000).

THEREFORE, the respondents are guilty of the above crimes in acting in conspiracy with such agents of foreign powers to further destroy another individual, the undersigned, by such activity. TO WIT, the above named officers or respondents, did UNLAWFULLY AND WILLFULLY:

COUNT 17: FRAUDULENT CONVEYANCE:

On or about 11-03-09 the Pima County Recorder's Office accepted and honored a false document by the imposter Trustee ReconTrust and MERS, privately owned by Bank of America, successor from Countrywide Mortgage Company, now defunct. A.R.S., unqualified statement, a felony; Title 18 USC 1001) of an undocumented, unproven liability, shown to be false by the Complainant Affiant to take property and three cars worth \$30,000.00, without due process of law, to give it to the Respondents. A.R.S.CHAPTER 22, BUSINESS AND COMMERCIAL FRAUDS; 13-2202 Deceptive Business Practices;13-2204 Defrauding Secured Creditors; Defrauding Judgment Creditors 13-2205 and Usury 13-2208. Criminal Conspiracy, Sec 13-2314.02 Racketeering, Title 18, Sec 241, 1961, 1962. 33-420. FALSE DOCUMENTS liability; special action; damages; violation classification A. A person purporting to claim an interest in, or a lien or encumbrance against, real property, who causes a document asserting such claim to be recorded in the office of the county recorder, knowing or having reason to know that the document is forged, groundless, contains a material misstatement or false claim or is otherwise invalid is liable to the owner or beneficial title holder of

the real property for the sum of not less than five thousand dollars, or for treble the actual damages caused by the recording, whichever is greater, and reasonable attorney fees and costs of the action.

B. The owner or beneficial title holder of the real property may bring an action pursuant to this section in the superior court in the county in which the real property is located for such relief as is required to immediately clear title to the real property as provided for in the rules of procedure for special actions. This special action may be brought based on the ground that the lien is forged, groundless, contains a material misstatement or false claim or is otherwise invalid. The owner or beneficial title holder may bring a separate special action to clear title to the real property or join such action with an action for damages as described in this section. In either case, the owner or beneficial title holder may recover reasonable attorney fees and costs of the action if he prevails.

C. A person who is named in a document which purports to create an interest in, or a lien or encumbrance against, real property and who knows that the document is forged, groundless, contains a material misstatement or false claim or is otherwise invalid shall be liable to the owner or title holder for the sum of not less than one thousand dollars, or for treble actual damages, whichever is greater, and reasonable attorney fees and costs as provided in this section, if he willfully refuses to release or correct such document of record within twenty days from the date of a written request from the owner or beneficial title holder of the real property.

D. A document purporting to create an interest in, or a lien or encumbrance against, real property not authorized by statute, judgment or other specific legal authority is presumed to be groundless and invalid E. A person purporting to claim an interest in, or a lien or encumbrance against, real property, who causes a document asserting such claim to be recorded in the office of the county recorder, knowing or having reason to know that the document is forged, groundless, contains a material misstatement or false claim or is otherwise invalid is guilty of a class 1 misdemeanor.

COUNT 18: In accepting and honoring false documentation, respondents, specifically and willingly conspired with the Federal Reserve Bank and/or the State of Arizona to steal the property of Marshall E. Home. Helen Purcell, the Maricopa County Recorder's Office refused to protect Secured Party's Rights secured by the UCC and refused to file Secured Party's Marshall E Home, Deb Truh and Rick Carr's UCC-1 Financing Statement against 5107 E. Corrine Dr. Scottsdale, Arizona 85254 denying them their commercial common law rights as guaranteed by the U.S. Constitution. The County Recorder's office is filing unsecured inchoate claims for the Debtors Defendants, Foreign Bankers with impunity against the property of homeowners who

have the SECURED claim registered and certified in the UCC Div., while denying any asset protection to the bonafide Secured Party in law. Ignorance of the law is no excuse and the law here is a certified transcript issued by the common law court of the Secretary of State evidenced by the UCC-1 Financing Statement. Furthermore, in a deliberate pattern of racketeering, Tiffany & Bosco proceeded with the Trustee's 14278 N. Palo Verde Dr. Maricopa, Arizona 85138 on Nov. 30,2010 while noticed in advance,in which Marshall Home and Brigitte Moosmann are the Secured Parties under the UCC which is the law of foreclosure and bankruptcy worldwide.

Count 19: denying any action against Marshall the rights of due process of law for

Home, Deb Truh, Rick Carr and Brigitte Moosmann. The rights denied, violated or trespassed are enumerated below. Each action - denial, violation or trespass, is a separate high crime or misdemeanor, brought together in this count as violations against the constitution. . The penalty is defined under Title 20: USC Sections 3571 individually listed for subtotal tally as to the civil damages sustained by such criminal actions. RIGHTS OF THE SOVEREIGN DENIED OR VIOLATED (\$100,000 each denied, violated or trespassed right listed as a misdemeanor, 18 USC 3571 defined as a felony is \$250,000 for each trespass, denial or violation) secured, preserved and protected by the Arizona Constitution and parallel sections of the Constitution for the United States:

1. ART I SECT I: Denied right of liberty
2. ART I SECT I: Denied right of acquiring 'property, (property(cars) give directly to a foreign agent without due process of law)
3. ART .1 SECT I: Denied right of possessing property, (property (cars) given directly to a foreign agent without due process of law)
4. ART I SECT I:, Denied right of defending property, (demanding the proper return of property)
5. ART I SECT I: Denied right of privacy, (giving information to a foreign agent under a guise of law)
6. ART I SECT 2: Denied right of free speech (for demanding a proper production of certain lawful papers to validate of seizing Complainant Affiant's 3 VEHICLES and giving it to foreign agents)

7. ART I SECT 2: Denied right of free expression of thought, i.e. write, publish, etc. (for expression of criminal activity in: an open forum, expressed in GOOD FAITH)
8. ART I SECT 3: Denied right to redress of grievances (retaliating against an individual for exposing such crime denies a right to redress of grievances in the forum of a complaint)
9. ART I SECT 4: . Denied right of liberty of conscience, (i.e. punished for exercising the liberty of conscience).
10. ART I SECT 6: Made the Secured Party a slave Or to serve government involuntarily (for exercising rights
not criminal, forced to pay unproven liability, not yielding as a slave to improper and illegal demands)
11. ART I SECT 9: Enforced a bill of attainder, pains and penalties - (force to pay an unproven claim by distaint, without due process of law)
12. ART I SECT 9: Enforced an ex post facto law, (NO LAW)
13. ART I SECT 13: ILLEGAL SEIZURE WITHOUT WARRANT = CRIMINAL TRESPASS =
(Seized Secured party Affiant's property without warrant or lawful
complaint of damages)
14. ART I SECT 15: Denied right of defense witnesses. Marshall Home is registered
Secured Party Creditor, Preferred Stock Trustee, by UCC-1 Financing
Statement in the Secretary of State, State of California. Arizona
Secretary of State refused to file his UCC-1 Financing Statement
acting in concert with the foreign bankers to deprive Marshall Home
of his commercial contract rights.
15. ART I SECT 15: Denied right of assistance of Counsel
16. ART I SECT 15: Denied right of reasonable defense
17. ART I SECT 15: Denied right to confront accuser, injured or damaged party.
(Complainant Affiant is the injured party by an undocumented, unproven claim
against the Complainant Affiant by a foreign agent and not permitted to
address, such false documentation.

18. ART I SECT 16: Deprived of right of trial by jury, for undefined wrongs.
19. ART I SECT 19: Private property taken for public use without just compensation, conversion and theft of 3 cars and illegal demands for possession of his private property 3051 W. Mexico St. Tucson, Arizona.
20. ARTICLE I SECT: 24 Denied Speedy Trial and public trial
21. ARTICLE I SECT: 24 Denied right to confront accuser, injured or damaged party
22. ARTICLE I SECT: 24 Deprived of property without due process of law.
(Giving \\ to a foreign agent monies of the Complainant Affiant without a lawful hearing or judgment). See attached Subpoena Duces Tecum.
23. ART I SECT 23: Cruel and Unusual Punishment against elderly and handicapped
24. ART I SECT 26: DELIBERATE, WILLFUL VIOLATION, DENIAL AND REJECTION OF 22 MANDATORY AND PROHIBITORY PROVISIONS OF THE CONSTITUTION.
25. ART II SECT I Usurpation of Political power (acting in Conspiracy with the Federal Reserve Bank, outside the lawful adjudication procedure of courts.
26. ART I II SECT 6: Denied right of action in the Courts before acting against the Secured Party Marshall E. Home (Being found guilty of an undefined crime punished without due process.)

Twenty-six (26) actions of, high crimes and misdemeanors in a single count of conspiracy. All are listed as misdemeanors (\$100,000). An elected official in government doing this things would be charged as felonys (\$250,000), 18 USC 3571.

Subtotal of damages in Count 2: \$7,100,000. (26x\$250,000)

On or about Nov 3, 2009 Respondents, freely and willfully gave the Federal Reserve Bank, an act of conversion, and theft, without proper lawful paperwork, authorization, or Court judgment.

COUNT 21: MONEY LAUNDERING; ARIZONA REVIZED STATUTES 13-2317.

A. A person is guilty of money laundering in the first degree if the person does any of the following:

1. Knowingly initiates, organizes, plans, finances, directs, manages, supervises or

is in the business of money laundering in violation of subsection B of this section.

2. Violates subsection B of this section in the course of or for the purpose of facilitating terrorism or murder.

B. A person is guilty of money laundering in the second degree if the person does any of the following:

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1. Acquires or maintains an interest in, transacts, transfers, transports, receives or conceals the existence or nature of racketeering proceeds knowing or having reason to know that they are the proceeds of an offense.

2. Makes property available to another by transaction, transportation or otherwise knowing that it is intended to be used to facilitate racketeering.

3. Conducts a transaction knowing or having reason to know that the property involved is the proceeds of an offense and with the intent to conceal or disguise the nature, location, source, ownership or control of the property or the intent to facilitate racketeering.

4. Intentionally or knowingly makes a false statement, misrepresentation or false certification or makes a false entry or omits a material entry in any application, financial statement, account record, customer receipt, report or other document that is filed or required to be maintained or filed under title 6, chapter 12.

5. Intentionally or knowingly evades or attempts to evade any reporting requirement under section 6-1241, whether by structuring transactions as described in 31 Code of Federal Regulations part 103, by causing any financial institution, money transmitter, trade or business to fail to file the report, by failing to file a required report or record or by any other means.

6. Intentionally or knowingly provides any false information or fails to disclose information that causes any licensee, authorized delegate, money transmitter, trade or business to either:

(a) Fail to file any report or record that is required under section 6-1241.

(b) File such a report or record that contains a material omission or misstatement of fact.

7. Intentionally or knowingly falsifies, conceals, covers up or misrepresents or attempts to falsify, conceal, cover up or misrepresent the identity of any person in connection with any transaction with a financial institution or money transmitter.
8. In connection with a transaction with a financial institution or money transmitter, intentionally or knowingly makes, uses, offers or presents or attempts to make, use, offer or present, whether accepted or not, a forged instrument, a falsely altered or completed written instrument or a written instrument that contains any materially false personal identifying information.
9. If the person is a money transmitter, a person engaged in a trade or business or any employee of a money transmitter or a person engaged in a trade or business, intentionally or knowingly accepts false personal identifying information from any person or otherwise knowingly incorporates false personal identifying information into any report or record that is required by section 6-1241.
10. Intentionally conducts, controls, manages, supervises, directs or owns all or part of a money transmitting business for which a license is required by title 6, chapter 12 unless the business is licensed pursuant to title 6, chapter 12 and complies with the money transmitting business registration requirements under 31 United States Code section 5330.

C. A person is guilty of money laundering in the third degree if the person intentionally or knowingly does any of the following:

1. In the course of any transaction transmitting money, confers or agrees to confer anything of value on a money transmitter or any employee of a money transmitter that is intended to influence or reward any person for failing to comply with any requirement under title 6, chapter 12.
2. Engages in the business of receiving money for transmission or transmitting money, as an employee or otherwise, and receives anything of value upon an agreement or understanding that it is intended to influence or benefit the person for failing to comply with any requirement under title 6, chapter 12.

D. In addition to any other criminal or civil remedy, if a person violates

subsection A or B of this section as part of a pattern of violations that involve a total of one hundred thousand dollars or more in any twelve month period, the person is subject to forfeiture of substitute assets in an amount that is three times the amount that was involved in the pattern, including conduct that occurred before and after the twelve month period.

E. Money laundering in the third degree is a class 6 felony. Money laundering in the second degree is a class 3 felony. Money laundering in the first degree is a class 2 felony.

F. For the purposes of this section:

1. The following terms have the same meaning prescribed in section 6-1201:

- (a) "Authorized delegate".
- (b) "Licensee".
- (c) "Money accumulation business".
- (d) "Money transmitter".
- (e) "Trade or business".
- (f) "Transmitting money".

2. The following terms have the same meaning prescribed in section 13-2001:

- (a) "Falsely alters a written instrument".
- (b) "Falsely completes a written instrument".
- (c) "Falsely makes a written instrument".
- (d) "Forged instrument".
- (e) "Personal identifying information".
- (f) "Written instrument".

3. The following terms have the same meaning prescribed in section 13-2301:

- (a) "Financial institution".
- (b) "Financial instrument".
- (c) "Racketeering", except that for the purposes of civil remedies sought by the attorney general, racketeering includes any act, regardless of whether the act would be chargeable or indictable under the laws of this state or whether the act is charged or indicted, that is committed for financial gain, punishable by imprisonment for more than one year under the laws of the United States and described in section 274(a)(1)(A)(i), (ii) or (iii) or (a)(2) of the immigration and nationality act (8 United States Code section 1324(a)(1)(A)(i), (ii) or (iii) or (a)(2)) if persons acting in concert in the conduct acquire a total of more than five thousand dollars through the conduct in a one month period. For the purpose of forfeiture of property other than real property, the conduct must involve more than three aliens in a one month period. For the purpose of forfeiture of real property, the conduct must involve more than fifteen aliens in a one month period.

4. The following terms have the same meaning prescribed in section 13-2314:

- (a) "Acquire".
- (b) "Proceeds".

G. For the purposes of this section:

1. "Offense" has the same meaning prescribed in section 13-105 and includes conduct for which a sentence to a term of incarceration is provided by any law of the United States.

2. "Superintendent" has the same meaning prescribed in section 6-101.

3. "Transaction" means a purchase, sale, trade, loan, pledge, investment, gift, 26

transfer, transmission, delivery, deposit, withdrawal, payment, transfer between accounts, exchange of currency, extension of credit, purchase or sale of any financial instrument or any other acquisition or disposition of property by whatever means.

On or about May 15, 2010 Respondents, fully and willfully ignored proper notices (Complainant Affiant's Proof of Claim and Notice of Commercial Grace, attached) of a crime taking place, compounding the crimes, by such action caused a permanent damage of ARIZONA REVIZED STATUTES, 13-1501 - compounding crimes; Section CRIMINAL TRESPASS AND BURGLARY - a criminal conspiracy; Section A.R.S. 13-1501 - Racketeering A.R.S CHAPTER 13-2314.02 Civil penalty is defined USC 1964 - triple damages. By such repeated actions by respondents and the Servicing Agents, a criminal conspiracy is established of fraud, extortion, theft and RACKETEERING and acts of SEDITION AND TREASON.

COUNT 22: TRADENAME/TRADEMARK CRIMINAL INFRINGEMENTS OF THE TRADENAME MARSHALL E HOME: COUNTERFEITING FORGERY 13-2001 A.R.S.; 15 U.S.C. § 1122 : Liability of United States and States, and instrumentalities and officials thereof

The defendants made an imitation name with the intent to deceive Marshall E. Home Deb Truh, Rick Carr and Brigitte C. Moosmann.

(a) Waiver of sovereign immunity by the United States
The United States, all agencies and instrumentalities thereof, and all individuals, firms, corporations, other persons acting for the United States and with the authorization and consent of the United States, shall not be immune from suit in Federal or State court by any person, including any governmental or nongovernmental entity, for any violation under this chapter.

(b) Waiver of sovereign immunity by States
Any State, instrumentality of a State or any officer or employee of a State or instrumentality of a State acting in his or her official capacity, shall not be immune, under the eleventh amendment of the Constitution of the United States or under any other doctrine of sovereign immunity, from suit in Federal court by any person, including any governmental or nongovernmental entity for any violation under this chapter.

(c) Remedies
In a suit described in subsection (a) or (b) of this section for a violation described therein, remedies (including remedies both at law and in equity) are available for the violation to the same extent as such remedies are available for such a violation in a suit against any person other than the United States or any agency or instrumentality thereof, or any individual, firm, corporation, or other person acting for the United States and with authorization and consent of the United States, or a State, instrumentality of a State, or officer or employee of a State or instrumentality of a

State acting in his or her official capacity. Such remedies include injunctive relief under section 1116 of this title, actual damages, profits, costs and attorney's fees under section 1117 of this title, destruction of infringing articles under section 1118 of this title, the remedies provided for under sections 1114, 1119, 1120, 1124 and 1125 of this title, and for any other remedies provided under this chapter. The specified penalty (civil) damages for crimes committed are as listed on the TABLE OF CRIMES on the following pages, drawn from the civil penalties as specified in the Criminal Codes. Undefined crimes Constitutional violations not listed in the Criminal Code) are set by Title '18, United States Criminal. Code Sections 3571. Felonies are set at \$250,000.00 and misdemeanors at \$100,000 for each offense by each officer or Official. Accounting of damages are tallied as follows:

ACCOUNTING OF DAMAGES SUSTAINED

PARTIAL TABLE OF CRIMES

Nature of crime	Penalty of damages	Damage	Authority
FRAUD	\$ 26,000,000.00	18 USC 1001	
EXTORTION	\$ 26,000,000.00	18 USC 872	
[1 of counts of GRAND THEFT - (18 USC 2112)	-	- from count 3 (Felony)	
3 x \$250,000.00	\$ 750,000.00	18 USC 3571, 3623 CONSPIRACY	18 USC 241
RACKETEERING~ (Criminal)	53,750,000.00		18 USC 1963

SUBTOTAL

RACKETEERING (Civil) triple damages \$440, 000,000.00 million - triple damages

GRAND TOTAL Or DAMAGES \$ 493,000,000.00

The undersigned Complainant Affiant, Marshall E. Home, declares under penalties of bearing a false witness, that the complaint as stated herein is true, correct and certain, now, a matter of public record, a standard operating procedure, of the fraudulent conveyance and the conspiracy demonstrated, by personal experience.

NOTICE: ALL UNSECURED, INCHOATE, UNREGISTERED CLAIMS OF THE DEBTORS ARE ACCEPTED AND RETURNED FOR THE ASSESSED VALUE, CLOSURE AND SETTLEMENT OF THIS ACCOUNTING.

WITHOUT PREJUDICE
ALL RIGHTS RESERVED

By: Marshall E. Home [®] date 12/1/10
Marshall E. Home Secured Party, Affiant authorized representative of MARSHALL E. HOME, DEBTOR, ENS LEGIS